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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,110	12/24/2001	John C. Eidson	10003336	2355

7590 07/28/2005

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EXAMINER	
PHAN, THANH S	

ART UNIT	PAPER NUMBER
2841	

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/035,110	EIDSON, JOHN
	Examiner	Art Unit
	Thanh S. Phan.	2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 May 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4 and 7-24* is/are pending in the application.

4a) Of the above claim(s) *16-24* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4 and 7-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Allowable Subject Matter

The indicated allowability of claims 9-15 is withdrawn in view of the newly discovered reference(s) to Holmeide [WO 01/95550 A2]. Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-4, 7-15 are rejected under 35 U.S.C. 102(a) as being anticipated by Holmeide [WO 01/95550 A2].

Regarding claims 1-4, Holmeide disclose a distribution system comprising: master clock having means for transferring a timing signal/pulses on a timing signal path [means for routing] in response to a time event [data packets] associated with the master clock and means for transferring a time stamp [TS] via a network in response to the time event; slave clock having means for receiving the timing signal via the timing signal path and means for receiving the time-stamp via the network and having means for adjusting a local time in the slave clock in response to the timing signal to the time stamp [abstract]. Holmeide does not explicitly labeled the means for transferring and/or receiving signal data, however these means must be presented in order for the timing signal to be received/send via the network.

Regarding claim 2, since the time signals in Holmeide's network are electronically transferred, they are in the form of pulses.

Regarding claim 3, since the clocks in Holmeide's network are synchronized and updated there must be means to perform this function(s).

Regarding claim 4, wherein the time=stamp from the master clock indicates a local time in the master clock [page 9, lines 12-14]

Regarding claim 7, Holmeide disclose wherein the means for adjusting further comprises means for determining a correction to the local time in the slave clock in response to the time-stamps [abstract; lines 5-9]. Holmeide does not explicitly labeled the means for adjusting and/or correcting the time according to the timing signal, however these means must be presented in order for the slave clock to be in synchronization with the master(s).

Regarding claim 8, Holmeide disclose the synchronization of time between the master(s) and slave clocks. The timing system within the network deprived from the timing signal source therefore it is being a continuous frequency signal.

Regarding claims 9 and 14, Holmeide disclose a distribution system comprising: a master clock coupled to a timing signal path [means for routing], the master clock having means for generating a timing signal/pulses on the timing signal path in response to a time event [data packets] associated with the master clock; slave clock having means for adjusting a local time in the slave clock in response to the timing signal received via the timing signal path wherein the timing signal comprises a continuous frequency signal and wherein the continuous frequency signal includes a distinguished pattern which is aligned to the time event [abstract]. The timing system within the network deprived from the timing signal source therefore it is being a

continuous frequency signal, and the distinguished pattern is the timing signal associated to each data packed. Holmeide does not explicitly labeled the means for generating and means for adjusting signal data, however these means must be presented in order for the timing signal to be received/send via the network in order for the clocks to be in synchronization.

Regarding claim 10, Holmeide discloses a time-stamp is generated in response to the distinguished pattern, there must be means to perform this function(s).

Regarding claims 11, 12 and 13, Holmeide disclose that the time-stamp is passed onto the slave clocks, there must be means to allow the slave clock to obtain the time-stamp.

Regarding claim 15, Holmeide disclose wherein the means for adjusting further comprises means for determining a correction to the local time in the slave clock in response to the time-stamps [abstract; lines 5-9]. Holmeide does not explicitly labeled the means for adjusting and/or correcting the time according to the timing signal, however these means must be presented in order for the slave clock to be in synchronization with the master(s).

Response to Arguments

Applicant's arguments with respect to claims 1-4, 7-8 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. DiCarlo [US 5,519,726].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh S. Phan whose telephone number is 571-272-2109. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamand Cuneo can be reached on 571-272-1957. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

tsp

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